

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO. 1:23-CR-00115
	:	
Plaintiff,	:	JUDGE SUSAN J. DLOTT
	:	
v.	:	<u>UNITED STATES’</u>
	:	<u>SENTENCING MEMORANDUM</u>
	:	<u>REGARDING ANTONIO TOOMBS</u>
ANTONIO TOOMBS,	:	
	:	
Defendant.	:	
	:	

The United States Attorney’s Office submits this sentencing memorandum with respect to Antonio Toombs (“Toombs”), who has been detained since his arrest on November 20, 2023. Toombs pleaded guilty to participating in two robberies of postal carriers on the same day -- Counts 3 and 4, Robbery of Mail or USPS Property, in violation of 18 U.S.C. § 2114.

Based on the factors set forth in 18 U.S.C. § 3553(a) and the facts discussed below, the United States recommends a sentence of 78 months, a term of supervised release of five years, and a \$200 special assessment. There is no request for restitution in this case.

I. THE COURT’S TASK AT SENTENCING.

After the Supreme Court’s landmark decision in *United States v. Booker*, 543 U.S. 220 (2005), the Sentencing Guidelines are advisory, and judges must now impose sentences in accordance with 18 U.S.C. § 3553(a), which describes the factors to be considered. A district court must still use the Guidelines to calculate a defendant’s sentencing range and consider the range when devising a sentence. *Gall v. United States*, 552 U.S. 38, 128 S. Ct. 586, 596 (2007).

After calculating the advisory Guidelines range, the Court must consider that range along with all the factors listed in 18 U.S.C. § 3553(a) before arriving at the final sentence, including:

- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- (2) the need for the sentence imposed--
 - (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
 - (B) to afford adequate deterrence to criminal conduct;
 - (C) to protect the public from further crimes of the defendant; and
 - (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;
- (3) the kinds of sentences available;
- (4) . . . the sentencing range established . . . [by the Guidelines];
- (5) any pertinent policy statement . . . issued by the Sentencing Commission . . . that . . . is in effect on the day of sentencing[;]
- (6) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and
- (7) the need to provide restitution to any victims of the offense.

18 U.S.C. § 3553(a).

II. NATURE OF THE OFFENSE.

This case is part of a wave of mail theft and check fraud that has victimized the Greater Cincinnati area over the past two years. In general, the U.S. Postal Service (USPS) uses blue collection boxes in public areas to collect outgoing mail. As a result, criminals routinely target USPS mail to steal checks for the purpose of altering them and depositing them at financial institutions. Criminals typically steal these checks from USPS blue mail collection boxes through the use of a stolen proprietary USPS key which opens these boxes, commonly referred to as an “Arrow Key.” This case involves the armed robbery of Arrow Keys from two different postal carriers in order to facilitate the theft of mail.

The October 21, 2023 Robberies

On Saturday, October 21, 2023, two different USPS postal carriers were robbed at gunpoint in the Cincinnati area. The robberies were orchestrated by Antonio Toombs, along with his friend, roommate and co-defendant Lorenzo Brandon, as well as a juvenile (the “Juvenile”).

Robbery 1. The first armed robbery occurred at approximately 12:40 PM on October 21, 2023 at or near 3302 Hanna Avenue, Cincinnati, OH 45211. A vehicle later identified as Antonio Toombs’ SUV stopped at the stop sign located at the intersection of Glenmore Avenue and Hanna Avenue. A suspect exited the vehicle from the rear passenger side and confronted a USPS Letter Carrier who was delivering mail. The armed suspect demanded USPS Arrow Key from the Letter Carrier. The suspect displayed a handgun to the Letter Carrier and said, “give me the key, I ain’t playing.” The Letter Carrier complied and gave the suspect the US Mail Arrow Key. The suspect then reentered the vehicle after obtaining the key.

Video surveillance helped confirm the path of the vehicle, which was a silver Jeep with dark tinted windows, silver/gray 10 spoke rims and a missing piece of trim over the driver-side rear wheel well.

Robbery 2. The second armed robbery occurred at approximately 3:40 PM near 3296 Harry Lee Lane, Cincinnati, OH 45239 on that same day, October 21, 2023. A vehicle later confirmed to be Antonio Toombs’ SUV was parked on the street in front of the residence of 3296 Harry Lee Lane. A suspect with a firearm exited the vehicle and approached a USPS Letter Carrier who was delivering mail. The armed suspect told the Letter Carrier, “Keys. Give me

your keys.” The Letter Carrier complied and gave the key set to the suspect, which included the US Mail Arrow Key. After the suspect obtained the key set, he reentered the vehicle.

Below is a still photograph from a video of the robbery. It is believed that the Juvenile is the person with the firearm committing the robbery.



Video surveillance of the second robbery showed what appeared to be the same silver Jeep Grand Cherokee with an Ohio temporary license plate, ten spoke grey or silver rims, a colored front license plate, dark tinted windows and a missing piece of trim over the rear driver-side wheel well.

The silver Jeep was registered to Antonio Toombs at 11755 Norbourne Drive, Apartment 218, Cincinnati, OH 45240. USPIS obtained search warrants for Toombs' apartment and the vehicle. Within Toombs' bedroom at the apartment, Inspectors recovered a bookbag that

contained an ID and other personal items for Lorenzo Brandon, cash, and one of the USPS arrow keys stolen on October 21, 2023. The second Arrow Key was never recovered. The search of Toombs' apartment also recovered multiple firearms, IDs, and a product called HEET, which can be used for washing checks.

The Phone Conversations. An examination of Toombs' phone revealed messages from October 21, 2023 that corroborate Toombs' involvement in a plan to rob postal carriers that day. Another number communicated with Toombs and introduced Toombs to a 17-year-old Juvenile. On the morning of October 21, before the robberies, the Juvenile began texting Toombs. Toombs replies at 10:37 AM that he just got up. The Juvenile replies, "Cappin. You said 9-10." Toombs replies, "Nigga I was sleep you don't even know where a mail man at." The Juvenile replies, "They all around. Drive around and we find one. It's simple." At 10:50 AM, the Juvenile sends an Apple Map location for his residence. Later that day, in between the time of the two robberies, Toombs sends his location via phone to his sister. The location sent is between the locations of the two robberies. Over the next day, the phone shows text messages from Toombs to the Juvenile stating, "see if I can get another dub for you before tomorrow than that mail box key on me." The Juvenile replies, "That's cool."

III. THE GUIDELINES CALCULATION.

The base offense level for the robbery in Count 3 is 20. 2 levels are added pursuant to U.S.S.G. § 2B3.1 because property of the USPS was stolen. 5 levels are added pursuant to U.S.S.G. § 2B3.1(b)(2)(C) because a firearm was brandished during the robbery. That results in an offense level of 27.

The PSR considered a victim-related adjustment under § 3A1.2 for government employees, but the adjustment does not apply for postal carriers due to the § 2B3.1 enhancement. Also, the PSR considered the enhancement for the use of a minor in committing the crime (U.S.S.G. § 3B1.4). However, that enhancement did not apply because Toombs was less than 21 years old at the time of the offense. (PSR, par. 43) Accordingly, no additional levels were added.

The calculation for Count 4 is identical, resulting in an adjusted offense level of 27. (PSR, par. 50) Under the grouping rules, the greater of the adjusted offense levels is still 27. 2 levels are added based upon U.S.S.G. Section 3D1.4, resulting in offense level 29. With acceptance, the final offense level is 26. (PSR, par. 58)

Toombs has a Criminal History Category of I, so the guideline range is 63-78 months.

IV. THE GOVERNMENT'S RECOMMENDATION.

As noted above, the prevalence of mail theft has greatly impacted postal carriers and members of the public alike. The USPS as a whole has been forced to change procedures and mechanisms for securing the mail. It has certainly impacted customers, who are now urged to avoid depositing mailed checks in the blue collection boxes. And it has impacted numerous banks who are bearing the ongoing financial burden of this check fraud.

Antonio Toombs intentionally participated in two separate armed robberies of postal carriers on the same day. It is clear from the evidence that Toombs was the person who communicated with the Juvenile about the scheme and was the driver for both robberies. As noted above, the guidelines calculation only adds 2 levels for the second robbery, despite the seriousness of that offense and the impact on the postal carrier victims.

Given these circumstances, a term of imprisonment of 78 months would provide just punishment for the offense and deter others from engaging in such conduct. Based on the circumstances set forth in the PSR and in this sentencing memorandum, as well as the factors in Section 3553(a), the government recommends that the Court impose a sentence of imprisonment of 78 months, a term of supervised release of five years, and a \$200 special assessment.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Memorandum was served this 27th day of May 2025, electronically upon all counsel of record.

s/Timothy S. Mangan
TIMOTHY S. MANGAN (069287)
Assistant United States Attorney